

California State Archives  
State Government Oral History Program

Oral History Interview

with

**JONATHAN C LEWIS**

Executive Director California Tax Reform Association 1978 1979  
Legislative Assistant to Senator Nicholas Petris 1971 1977

February 27 1989  
Davis California

By Gabrielle Morris  
Regional Oral History Office  
University of California Berkeley

**TAX REFORM AND FISCAL POLICIES**

## RESTRICTIONS ON THIS INTERVIEW

None

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## PREFACE

On September 25 1985 Governor George Deukmejian signed into law A B 2104 (Chapter 965 of the Statutes of 1985) This legislation established under the administration of the California State Archives a State Government Oral History Program to provide through the use of oral history a continuing documentation of state policy development as reflected in California's legislative and executive history

The following interview is one of a series of oral histories undertaken for inclusion in the state program These interviews offer insights into the actual workings of both the legislative and executive processes and policy mechanisms They also offer an increased understanding of the men and women who create legislation and implement state policy Further they provide an overview of issue development in California state government and of how both the legislative and executive branches of government deal with issues and problems facing the state

Interviewees are chosen primarily on the basis of their contributions to and influence on the policy process of the state of California They include members of the legislative and executive branches of the state government as well as legislative staff advocates members of the media, and other people who played significant roles in specific issue areas of major and continuing importance to California

By authorizing the California State Archives to work cooperatively with oral history units at California colleges and universities to conduct interviews this program is structured to take advantage of the resources and expertise in oral history available through California's several institutionally based programs

Participating as cooperating institutions in the State Government Oral History Program are

Oral History Program  
History Department  
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The establishment of the California State Archives State Government Oral History Program marks one of the most significant commitments made by any state toward the preservation and documentation of its governmental history. It supplements the often fragmentary historical written record by adding an organized primary source enriching the historical information available on given topics and allowing for more thorough historical analysis. As such the program through the preservation and publication of interviews such as the one which follows will be of lasting value to current and future generations of scholars citizens and leaders.

John F. Burns  
State Archivist

July 27 1988

This interview is printed on acid free paper

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## INTERVIEW HISTORY

### Interviewer/Editor

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### Interview Time and Place

Mr Lewis was interviewed on February 27 1989, at his home in Davis California The interview lasted two and a half hours

### Editing

Morris checked the verbatim manuscript of the interview against the original tape recordings, edited for punctuation, paragraphing, and spelling, and verified proper names The interviewer also prepared the introductory materials

In August 1989, Mr Lewis was forwarded a copy of the edited transcript for his approval which he returned in October 1989 He made various revisions to clarify specifics of legislative activities discussed These revisions do not change the meaning of the original statements in the opinion of the editor

### Tapes and Interview Records

The original tape recordings of the interviews are in The Bancroft Library archives at the University of California at Berkeley, along with the records relating to the interview Master tapes are preserved at the California State Archives in Sacramento

## BIOGRAPHICAL SUMMARY

Jonathan Lewis was born June 7, 1948 and grew up in San Francisco California, where he graduated from Lick Wilmerding High School. He graduated from the University of California at Davis in 1972 with a B.S. with honors, in applied behavioral systems, in 1989, he was completing work on an M.A. in political science at UCD.

While still a student, he worked on Assemblyman John Vasconcellos's 1970 reelection campaign and then briefly became a volunteer intern in Vasconcellos's Sacramento office. He then became executive assistant to Senator Nicholas Petris a position he held through 1978. In 1977 Lewis was staff coordinator of the executive legislative conference committee on property tax relief.

In 1978 he became the executive director of the California Tax Relief Association. From 1980 through 1985 he headed his own governmental consulting firm JLA Advocates, Inc., in which position he provided assistance to Senate President pro tem David Roberti on state budget policy. In 1986 and 1987, Lewis was executive director of the California Commission on the Teaching Profession a panel appointed jointly by the Superintendent of Public Instruction and the chairs of the legislative education policy committees to formulate recommendations on improving the quality of instruction in California public schools. In 1990 he was associated with the State Commission on Property Tax Equity.

Since October 1987, Lewis has also been engaged in development of real estate and retail enterprises including an art gallery and art related shops. He is married to Jeanette Gifford Lewis and is the father of Aaron Joseph Lewis. The family resides in Davis, California.

[Session 1, February 27, 1989]

[Begin Tape 1, Side A]

MORRIS Your wife [Jeanette Gifford Lewis] said she was a Bay Area person  
Did you two grow up in the Bay Area?

LEWIS San Francisco

MORRIS From a family that was interested in government and politics?

LEWIS No Not directly, I'd say Civic minded, but generally not interested  
in government per se My parents [Louis A and Faye Lewis] were  
Depression era parents, started with no money scraped saved Most  
of their lives were devoted to economic survival In later years after  
they reached a certain level of economic stability they became  
interested in community institutions the synagogue Jewish public  
affairs, generally things built around Judaism Civic minded in the  
sense of not self centered

MORRIS The Jewish Welfare Federation?

LEWIS That kind of thing Yes exactly I think it went beyond just a narrow  
religious interest It was a general concern for the welfare of the  
community but expressed through their Jewishness

MORRIS That's kind of built into being a good Jew isn't it?

LEWIS I think so I think that's pretty strong in the culture My interest in  
government and politics really was nurtured in high school I went to  
a private boys school in San Francisco, called Lick Wilmerding [High  
School] Are you familiar with it?

MORRIS Yes It's got a super reputation for technical training I thought

LEWIS I'm not current on what the school's doing I'm not a very good  
In fact, I'm a lousy alumnus But in those days, it was very college  
prep Every single kid in the class went to college and usually the

very best schools Harvard and all the big name schools I went there in the sixties a time of great turmoil, as you know San Francisco was a hotbed of liberalism

The faculty was very politically involved as individuals I remember our math teacher missing a couple of weeks of school because she was in jail with Joan Baez in Berkeley and another member of the math faculty who was a retired air force or army colonel with very pro right wing views So there was a lot of dialogue in the school and there was a respect for involvement I used to spend my time after school, frequently, working in civil rights organizations I was a volunteer

MORRIS

Out leafletting and

LEWIS

Yes that kind of thing you know, the kinds of things a high school kid could do, which wasn't much

MORRIS

So when you went to college, did you pursue political science?

LEWIS

Sort of indirectly It was a general social science degree

MORRIS

At [University of California] Berkeley?

LEWIS

No, at [University of California] Davis I came to Davis But I'm a child of the sixties and seventies This was the time of the student movement and civil rights movement and environmental movement and antiwar movement, and I was in the thick of all of it

MORRIS

Davis was an active campus?

LEWIS

Yes, quite As it was on all the campuses but manifested differently You didn't get the violent, militant activity that you'd get in a Berkeley It wasn't a take the park kind of a thing But there certainly were student forums and closing the campus for a day for teach ins and organizing marches on the state capitol and every imaginable activity I was in student government, and I hosted a radio talk show and I wrote a column for the newspaper

MORRIS

Really Lots of experience

LEWIS

I was very involved there

MORRIS

Did you think at that point that you might go to work for state government?

LEWIS No The ethos of the moment was that one became an urban guerrilla and a change agent and a Saul Alinsky community organizer I took courses in that mode, and I thought of myself as somehow or another moving out of college and doing something like that on a professional basis

MORRIS Did you work with Cesar Chavez and farm worker organizers?

LEWIS Not directly I was very supportive of the grape boycott and helped

There were a litany of things that were a litmus test The grape boycott, the war in Vietnam the civil rights movement, various environmental causes, educational reform and the establishment of experimental colleges, making courses more participatory reorienting the university away from research and towards more teaching all these things Whatever the prevailing litmus test, I passed every test, I assure you

MORRIS Really?

LEWIS Yes I was a doctrinaire student liberal But I got into politics, which is where I think we're going with this In the course of being an activist, I met a freshman legislator named [Assemblyman] John Vasconcellos who used to spend a lot of time visiting campuses because, in those days

MORRIS John did?

LEWIS Yes The reason for that was I'm a little foggy on this but he had something to do with the state's higher education master plan He was chair of a joint committee or a special committee or something

MORRIS There was a review of the Master Plan for Higher Education

LEWIS Right And he was in charge of that, for some reason that I can't remember

MORRIS He was on the Education Committee

LEWIS Yes, I'm sure But how he got connected to the issue It predates my tenure with the legislature But he used to come to campuses He is very effective at having a very brief contact with somebody but making it an important one

MORRIS Intense

LEWIS Yes And we connected I can't even remember the substance of it, but we did connect That must have been my junior year

MORRIS He was down here on the Davis campus?

LEWIS Right, in my junior year in school

MORRIS At a demonstration or just meeting with the students?

LEWIS I can't remember My hunch is it was a meeting, because it had to be something that allowed me to personally meet him and spend time I can't remember what it was

MORRIS Would your sense be that he was talking with you as a part of a group of students? He was looking for student input into education?

LEWIS Right Well, education is your word I don't know I can't remember What I remember is that that summer [1970] was an election year and he, of course as an assemblyman was up for election every two years I was looking for a summer job, and I had a choice of working for an ambulance company, because I happened to have first aid skills, and that was then the prerequisite for an ambulance job, or working for Vasconcellos's campaign as a volunteer of the summer

MORRIS No stipend or anything?

LEWIS Subsequently there was a very small stipend, \$200 or \$300 for the whole summer But they found a place for me to board I was taken care of, food and board, but there was no money per se

MORRIS Both of those are high adrenalin possibilities

LEWIS Yes, they are I'm a high adrenalin person, your basic Type A In fact I'm giving courses on how to be Type A

MORRIS Carrying through with your first aid

LEWIS Exactly Writing a monologue on stress reduction Eat a lot of white sugar Don't exercise Try not to sleep too much Those are the keys I find Then what happens is, you just explode But then you're releasing stress that way I've a whole project I'm working on

Anyway, the ambulance company wanted me to shave my beard which I had had since I was a sophomore in college, and I just

wasn't going to shave my beard. So I went to work for John Vasconcellos.

MORRIS: Who at that point didn't have a beard but he had long flowing locks, didn't he?

LEWIS: I don't remember that.

MORRIS: At one point, he took a lot of heat for

LEWIS: I think that was later. So I went down to Santa Clara for the summer and met a lot of wonderful people and was John's only full-time person on the campaign. I was basically, I guess I would put it, a VIC. Very Important Clerk. I didn't have any policy role. I didn't know the district. I wasn't involved in any of the substantive aspects of the campaign. Today, we think of somebody going to a district to run a campaign, and there's kind of a Green Beret politico imagery.

MORRIS: Lots of political know-how?

LEWIS: That wasn't me. I was a flunky. But I was also the only full-time flunky. I kept the volunteers busy and I did, obviously, have a lot of organizing skills from my academic experience.

MORRIS: Campus things.

LEWIS: Yes, and they were well applied. I worked whatever number of millions of hours a week people work on a campaign but I was doing what I was down there to do.

MORRIS: How much contact would you have had with the candidate during that time?

LEWIS: It was lots but it wasn't substantive. It was more personal. It was more like we were friends. There was an esprit de corps that goes with a good campaign that was very much a part of that.

It was a very suburban campaign. It's a very suburban district. It wasn't what I would call a crushing task. I don't remember it as a race where he was at high risk. He was at risk because he was a fairly new legislator but. Anyway, so then I came back to U C Davis after the summer to be a student because school started. I don't even think I was able to stay through the end of the campaign, actually.

MORRIS Right You'd be back up here by September

LEWIS So I didn't see the end of it But I left it with a lot of fond memories, and it was a good experience for me By then I was a senior at Davis and I had pretty much fulfilled all my course requirements and things were fairly quiet on campus I was bored and I wanted some easy units I'm embarrassed to say I decided that I could be a student intern at the capitol

MORRIS You could just walk in and say I want to be a student intern ?

LEWIS I don't know that it was that easy What it required was you worked twenty hours a week in a legislator's office and you got independent study units

MORRIS Independent study

LEWIS Right Easy units is probably a little pejorative since the internship did fit, in fact with the core of what I was learning on campus which was to be a policy change agent I was studying public policy and I was studying how to make it happen I was studying it from the grass roots level not from the state government level but I was still studying institutions and what changes them In some broad way that is what I am about A lot of my learning occurred, in fact, outside the classroom

MORRIS Sure In these various campaigns and activities

LEWIS Student government and all the rest But in the broadest sense the institution provided the framework for me to learn

MORRIS Was there anybody on the faculty who could conceptualize that?

LEWIS Yes There was a group Mary Regan a faculty member in the Applied Behavioral Sciences Department Another ABS professor named Isau Fujimoto A soc [sociology] professor named Bruce Hackett A psych [psychology] prof named [Joseph] Joe Lyons These were my mentors through my college career

MORRIS That's kind of exciting

LEWIS It was great

MORRIS Relevant education

- LEWIS Yes exactly They gave me a lot of space and they were very supportive They understood that a lot of it was a learn by doing trial and error My interests didn't have a core, a scholarly body of literature that one could pursue cleanly
- MORRIS But with them you could look at what was going on either in the Vasconcellos campaign or in a legislative office and give a name to some of the processes that you observed
- LEWIS Exactly And they were very good about that In fact, I ended up joining the Applied Behavioral Sciences Department which was freshly formed for kids like me, and I would have been my academic studies get interrupted in a minute in the first graduating class of that new department As in the case of interning in Vasconcellos's office I had essentially already learned the body of knowledge, and now I was getting the credit that validated what I had already learned Having said all that I went over to the capitol and became a volunteer intern in John Vasconcellos's office
- MORRIS Did you do this directly by negotiation with Vasconcellos or did you go through [Assembly Speaker] Jesse [M] Unruh who It was often referred to as Jesse Unruh's intern program
- LEWIS No Directly to Vasconcellos The business of student internships is a shadow activity There are few formal structures that support it I would even say it's a shadow activity at damned near high noon A very unstructured kind of thing A casual acquaintance meet somebody refer somebody and you work as an intern
- The quality of the work in the office on any given day varies dramatically Some interns have real core experiences writing bills and getting them introduced and trying to make them happen Others end up essentially as filing clerks
- MORRIS Stuffing envelopes
- LEWIS Yes It varies In any case, that's what I did, and that was in the What would be the quarter that starts in January?
- MORRIS That's winter quarter
- LEWIS Winter quarter of that year

MORRIS And this is what, 1971?

LEWIS You're going to quickly learn here that I don't know beans from granola about dates. What I can tell you with certitude is that this is 1989. Anything prior to this I have difficulties. [Laughter]  
[Discussions deleted]

LEWIS Once I've got it down in writing, I certainly can sort it out. I'm just talking from memory.

MORRIS I understand. So with Vasconcellos did you have some fairly substantive activities?

LEWIS Let me respond by telling you I was only in the office a month. I worked twenty hours a week. I completely enjoyed it but I felt there was an element in which it was not fully satisfying. I essentially worked on constituent problems, and it was not what I really could get my teeth into. Solving constituent problems is a very specialized activity in a legislative office, requiring a certain kind of person, which I am not.

MORRIS More of a traditional case work approach?

LEWIS It's definitely a case work approach. It takes incredible tenacity, a willingness to pay attention to great detail, a broker role, and a willingness to follow through in a labyrinth of rules and regulations. That's just not a role that I'm well suited for, although it's a very important activity. I don't mean to minimize the function; it's just not what I do well. But I was very pleased to be there. After about a month of this, coincidentally I heard about a job in the capitol.

MORRIS A paid full time, entry?

LEWIS Yes. I hadn't graduated. I was still a student.

In your senior year you're inundated with information about how to get a job, how to write a resume, how to be a person. All of a sudden people say, 'My God, this idiot's going to be out there!' We've got to do something. So you start getting all this job seeking advice. I had picked up the notion somewhere that one should go to job interviews for the experience of having a job interview.

MORRIS That s the *What Color is Your Parachute*?<sup>1</sup> school of thought, isn t it?  
LEWIS Which I haven t read unfortunately But the point is you need to go out and practice job interviewing a little bit

So I had heard somehow or another, about this job working for this guy named [Nicholas C ] Nick Petris, Senator Petris whose name I had never even heard prior to this event This was on a Friday Monday, Wednesday, and Friday were my intern days I thought it a great opportunity So I went and interviewed on the following Monday with his administrative assistant

MORRIS Who was?

LEWIS A guy named [Robert] Bob Connelly who is now the administrative officer of the California assembly and who was leaving as the The official title in the legislature is administrative assistant The real title should be legislative assistant It s the person who does the legislative work, as differentiated from somebody who works in say the district office and really is more the administrative person But for historic reasons the job is still called administrative assistant that s the designation So Bob was leaving to go work for [Assemblyman] Willie [L ] Brown [Jr ] who had just become Ways and Means [Committee] chairman under Speaker [Robert] Moretti All of which by the way I didn t know at the time All I knew was Bob was leaving to go somewhere else

I turned to Vasconcellos s A A [administrative assistant], whose name was Frank Olrich, a wonderful human being and my supervisor as an intern and I said, Frank what do you know about Nick Petris? He responded the way busy legislative staff people handle interns, sort of off the cuff, Great guy So I scurried over there for this job interview Bob interviewed me on a Monday and called me on Wednesday and said, Come back over, the senator would like to meet you I went in for one of the most startling interviews of my life

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<sup>1</sup> Richard Nelson Bolles (Berkeley Ten Speed Press, 1972, 1977, rev ed 1978 1987)

MORRIS Really?

LEWIS Yes

MORRIS How so?

LEWIS It was a twenty minute interview with Senator Nick Petris who as I said, as of the Friday before, I had never heard of. I didn't know very much about the man. It consisted of him basically asking me to my memory, no questions. He spent ten minutes telling me his philosophy of government and life and the other ten minutes, he was speaking on the phone to somebody else in Greek. He's bilingual in Greek and he's very active as an American of Greek descent.

MORRIS I think Greek is his mother tongue.

LEWIS No. He was born here.

MORRIS But he learned Greek at home.

LEWIS Yes, he did learn Greek at home. The point was he wasn't focused on Jonathan Lewis. He was focused on whoever he was talking to in Greek on the phone. It gave me time to look around his office and see things on the walls, which included pictures of Greece and his wife and artifacts of various legislative battles, most of which I had no specific knowledge of, but I perceived them as what they were. That was it. I left just terribly depressed because I thought whatever happened here, this wasn't an interview. I didn't know what it was but it was not an interview.

MORRIS And it didn't include any pro or con or any offer of a job. I take it.

LEWIS Oh, no, absolutely not. It was a singularly. One goes to a job interview, one expects somebody to say something like, "Can you do the job?"

MORRIS Or "What are your goals?"

LEWIS What's your name? Something. Nothing. I didn't ask him any questions. I didn't have that opportunity. There was very little interaction.

MORRIS Did you like what he said about his philosophy of government?

- LEWIS I was a young college student. This is the first state senator who I had ever been near, let alone talked to. I can't remember what he said. I have no memory of his comments whatsoever.
- MORRIS So then what happened?
- LEWIS I had written the whole thing off. I was feeling down. Then Friday rolled around. At about 3:00-4:00 late in the afternoon, Bob called and said, "You're it. Start Monday."
- So that weekend I made all kinds of radical changes in my life. I got an apartment in Sacramento, moved out of Davis, made a decision to quit school. I showed up Monday. I didn't even own a suit. We're talking jeans, sandals, and blue work shirt with a medallion.
- MORRIS We're talking 1971, aren't we? That's when Moretti became speaker.
- LEWIS That may be, but he had been speaker. That could be right. You have my resume anyway. It'll be on there somehow.<sup>1</sup>
- So I started. As it turned out, the first week was extremely important. First of all, I found out that I was the only employee of either house of the legislature with a beard. I found out I was the youngest staff member in that year. I found out what Senator Petris's district was, the boundaries.
- MORRIS Connelly had departed? Or was he still there?
- LEWIS He left the Friday before. He was still in the building but Bob here, who is now a good friend, had his own problems. He was taking over a major consultancy in the Ways and Means staff, and he was up to his ears in work. This was now, I believe, February.
- MORRIS Did you already know Bob Connelly?
- LEWIS I had never met Bob Connelly. He gave me the names of some other staff people in the senate who could help me, but they were all busy. The session had already started here. I inherited, I think, a sixty-five bill package from Bob that he had already caused to be developed.
- MORRIS Was there anybody else in the office or did you replace Connelly?

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<sup>1</sup> No date is on Lewis' resume for his job as legislative assistant to Senator Petris.

LEWIS I replaced Bob and I was the only professional member of the staff  
I was the only nonclerical person on the staff

MORRIS And Connelly, by that time, had a lot of experience and seniority

LEWIS Absolutely Bob was an accomplished legislative staffer then Now  
he's stratospheric but then he was definitely experienced

MORRIS That's marvelous That shows a remarkable kind of trust on Petris's  
part to replace experience with potential as it were

LEWIS Yes It was a terrible mistake on his part, that's all I can say  
[Laughter] So the conclusion of this story is it turned out that I  
started on a Monday and I was just scared to death That week I  
went to the nearest store to buy a suit

MORRIS And you bought a suit rather than gray flannels and a blue blazer

LEWIS I bought a jacket and a coat and slacks Fashion wasn't my shtick so  
I bought what appeared to be the appropriate attire of the day and  
hoped I also remember going that weekend to the basement of the  
then downtown Breuner's in Sacramento which has subsequently  
moved to the suburbs They had a wall that was easily forty feet long  
a pegboard on which all these kitchen appliances hung I remember

[End Tape 1 Side A]

[Begin Tape 1 Side B]

LEWIS Walking this forty foot length of wall with this matronly store clerk in  
tow, asking her What does this one do? What does that one do?  
What are all these utensils?

MORRIS [Inaudible] a fraternity house or a houseful of students

LEWIS A communal thing yes Just trying to begin a life There was a lot of  
lifestyle turmoil at this point

But in any case, what happened was that Wednesday night this  
is a story I love I'd not been working for Petris a three full days, and  
he invited me to go with him to an after work event That event was,  
that was the year that he received the Best Senator of the Year award  
from the California Trial Lawyers Association For the record, let it  
be noted that with hindsight, these awards are something that lobby

groups, like the Trial Lawyers, give to legislators in part for recognition of their service but in large measure as a way of currying favor. This was not like getting a

MORRIS

Pulitzer prize

LEWIS

Right. But for all of that, it was their annual conference, and it was then held in the Senator Hotel, which is now an office building. I went. I sat in one of the tables in the audience and Petris was up there in the front. There was a lot of wine flowing and there are maybe 1,000 to 1,500 people there. The Trial Lawyers are a boisterous bunch as a group. Everybody's having a good time. Basically they've been at their annual convention and this is one of their banquets, and they're not the least bit interested in what's happening at the dais. Most of them have their own agendas and they're talking to their colleagues. To give you a sense of the evening, there's a master of ceremonies, a professional comedian, telling ribald jokes.

They give the award to the assembly person whose name I don't even remember. I can't even tell you who it was. Then it's Petris's turn, and they introduce him. People just keep talking. There's just this din across the room. Petris gets up to say a few words to receive the award. He says that he's really proud to be an attorney and a member of the profession and blah, blah, blah, blah, and he really likes the award, the typical politician's comments. Then he says, But I want to talk to you about a few things that are important that are on my mind, that are a little more serious. And he starts talking. Slowly the crowd gets quieter and quieter and quieter. They realize that he's trying to say something important or, at least, important to him.

What he starts talking about, paraphrased because I can't repeat it, is the role of the lawyer in our society. Pretty soon he's really talking to these attorneys about the fact that we have a lot of injustice in our society and that these attorneys, who he keeps referring to as my fellow members of the bar, are officers of the court, which makes them adjuncts to the justice system in our society. He talks

about who the real attorney/heroes are in our society. He talks about the poverty attorneys who represent the farm workers, and the fact that if the local bar association in the rural counties of our state had been defending the law, then there wouldn't have been violations of the child labor laws. If their attorneys had been advising the growers properly, there would not have been violations of the law when children were taken out of classrooms to work as pickers during the ag [agricultural] seasons. Or in some cases school districts literally closed the entire school system so the kids could go out and work in the fields. If the attorneys for the school district had been doing their job, we wouldn't have needed the poverty attorneys to come in and bring lawsuits.

MORRIS  
LEWIS

The existing child labor laws would have curbed the situation. Yes, but his point was that attorneys were not doing their job as counselors to their clients, which resulted in the lawsuits that the poverty attorneys brought. He went through a litany of maybe ten or fifteen of these examples across our state: violations of environmental law and so forth.

You could hear a pin drop in this room by now, and people are just stunned. At the end he says, "So I implore you, I beseech you, I say to you, my fellow members of the bar, that our job as attorneys is not to practice the law but to practice justice." This was very moving. That's when I knew I was in a good spot. That was the job interview for me right there.

MORRIS  
LEWIS

That was your getting a sense of Petris as a potential mentor. Right. That was when I felt I was hired, because then I knew that I was home, that I had found a spot where I could be. [Pause]

MORRIS  
LEWIS

You gave him your allegiance at that point. Yes.

MORRIS

That's very interesting. Had you had any sense that he was working on a speech?

LEWIS

No. This is obviously a parenthetical remark, because it speaks to the question, "What is Nick Petris?" more than anything else. But Nick

Petris is probably one of the best, well rounded educated legislators in office, certainly in the top three or four. He's a voracious reader has an incredible sense of history. His speech making approach is to not write speeches. Instead he thinks about them and thinks about them and then just gives them. No, this was not a prepared speech. It was very much from his heart.

He has some recurring themes that he includes in a lot of his speeches, or did in those days and the theme of justice was one of them. Another one is the evolution of power in Western civilization.

But that was a very thrilling moment for me, because I really did feel like I had. All of sudden I knew what my job was. I had been paralyzed by not knowing what I was supposed to be doing. How did you define what your job was at that point?

MORRIS  
LEWIS

I saw all of a sudden, that this was a man and his office as an institution that was interested in all the same social values that I was, and those values defined the agenda. All of a sudden, I was not afraid to have a perspective. I really found that to be incredible.

Over the course of the seven years I worked for him I could count on one hand the issues that we substantively disagreed on. Now, that's a function of me learning from him, obviously, and being influenced by his viewpoints and knowledge, but it's also a rooted sense of knowing that we were simpatico. I would say even the issues we disagreed about were issues that I don't mean to minimize them, but they were secondary issues.

MORRIS  
LEWIS

For instance?

Corporal punishment in schools always stood out as one we had many heated debates about. I don't think corporal punishment for kids particularly in institutional settings, is constructive.

MORRIS  
LEWIS

Would that maybe have been a generational thing?

Yes, very definitely. He grew up in a generation where parents took their kids to school and told the teacher, If Johnny misbehaves whack him. And let me know and when he gets home, I'll hit him again. I say it's a secondary issue because I don't think our

civilization stands or falls on it. I don't think the Petris generation that was raised that way is very bad, and I don't think the next generations that are raised without corporal punishment will be very bad either. I don't think it's a critical difference. But I also just don't think it's a very constructive way to relate to children.

MORRIS: What kinds of direction did he give you in terms of what bills he wanted you to work on or what issues he wanted you to research?

LEWIS: I would say that if there are many, many fabulous attributes that Nick Petris has, one that wouldn't be on the list is his management skills. He's not a natural organizer.

MORRIS: He is not?

LEWIS: He is not. He's a natural leader. He's a great inspirer. He's a great policy visionary, a word I do not use very lightly. But he's not a good detail organizer, so there was no staff training. As the initial interview was not much of an interview, he never came in and said, "OK, now, look. Here's our agenda, here's our priorities, here are sixty bills. These are the top twenty priority ones. All my learning was by osmosis."

MORRIS: Is there anybody in your experience in the legislature who does have that kind of business administration approach?

LEWIS: I would say, as a general comment, it's a very weak. To say who's got it is interesting because I really have to search long and hard for a name and I might be able to come with a half a dozen. Yes, I would say one I could think of is [Senator] John [R.] Garamendi.

MORRIS: Or is it something that they look to, leadership, the [senate president] pro tem or the Rules Committee, to say, "All right, this year, these are the ten hot issues?"

LEWIS: No. In fact, most legislators don't want that. They like the chaotic. They don't like heavy leadership from the top. It doesn't happen, is the answer to your question.

Let me just tell you. In two hours here, we're not going to be able to talk all there is to say about the legislature. That's an institution that's in deep yogurt. [Laughter]

MORRIS That s true But what I m part of is an emerging attempt to define some of these issues in the words of the people who ve been part of the process

LEWIS Every legislator comes to the job with their own perspective in two respects One is a policy agenda I think even the most right wing legislator who seems to want to abolish government has a perspective on how California should be better They fundamentally have an altruistic motivation I m discounting the legislators on the bottom of the ethical heap who are basically just on the take or whose sole motivation is just pure ambition

For the most part if you take the core of the hundred and twenty legislators I would say there s a higher level of altruism and vision for the future of California than you d find in any other segment or profession of society Even the legislators who are essentially negativists in their view and spend all their time reacting believe that things should be different which is to say, there should be less government or whatever [President] Ronald Reagan is a visionary, much as I think he s

MORRIS You may disagree with the vision but he has a vision?

LEWIS Right The other piece is how to go about doing their job, whether the emphasis is on helping individuals through case work whether it s educating the public whether the job is to be out there speechifying, putting out newsletters and writing columns for their district, whether it s legislating whether it s working in the committee process, or whether it s helping get like minded legislators elected They all have some sort of approach that they use

MORRIS Or a combination of them

LEWIS Yes These are complex people Most people are complex legislators are particularly complex people They have multiple motivations, all of them and operate at many levels The more effective ones are the more complex ones who can handle more of these components of the legislating tasks

MORRIS Keep more things going at a time?

LEWIS Yes who can understand all the dimensions of a particular problem and intermesh them

MORRIS So going back to Petris what kind of a working relationship did you and he evolve? Did he tell you what he wanted?

LEWIS No

MORRIS Or you just figured it out

LEWIS I just figured it out I just picked it up by osmosis

I stumbled on a couple things that I started doing that I found useful I spent six seven months just going out on the road with him going with him when he went to meetings and speeches being his chauffeur That was at night Chauffeur by night, chief staff person by day It was an odd thing but it gave me time with him to talk There was no organized body of knowledge which was transmitted it was a disorganized body of knowledge which, once transmitted, organized itself

MORRIS It was a continuing dialogue

LEWIS Yes right I remember one conversation in the same vein as the first speech I heard One of my jobs was to see all the lobbyists, and I was bemoaning the fact that they'd just come into the office in droves and you couldn't get anything else done A staffer can literally be seeing lobbyists on five minute headways They all want to come in and tell you about their bills

MORRIS Did they schedule these or did they just drop in?

LEWIS Both You'll have appointments with people A lobbyist who wants you to introduce a bill in behalf of their industry will schedule an appointment and tell you that's what they want to talk to you about If they're lobbying a bill there's a lot of drop in as well as stopping you in the hall There's no moment of your life except when you're at home that's sacred No matter what you're doing, you're fair game for being lobbied

MORRIS What was Nick's view on

LEWIS My point was I was bemoaning the fact that I couldn't seem to get everything done especially in that first year I really worked I was a

bachelor I worked around the clock I was up until one o'clock in the morning and I'd be at the office at seven I really worked hard I had a lot of things that I was learning I was learning his policy, I was learning how the legislature worked I was learning his internal office system, I was learning how to manage a staff This job was way beyond my skills

He said I had to see lobbyists because this was part of the system You had to give people access He didn't want to be known as an office that didn't get input and information from people and lobbyists had input and information He said But the thing to remember here is our job is to represent the people who don't have lobbyists

MORRIS That really reverberates doesn't it?

LEWIS Yes Boy, that really came home to me There were a lot of moments like that

MORRIS When you arrived in the office was tax reform already a big Petris issue?

LEWIS Let's see Not at the moment of arrival It was not But that's another story I guess I have to think for a minute what year that was It was 1971 I think I think it was the next year that we got into the tax thing The antecedent to the story is that when Petris was in the assembly, he was the chair of the Assembly Revenue and Tax [Revenue and Taxation] Committee As such, and during his tenure, the assembly committee held the most extensive hearings and wrote the most comprehensive review of the state's tax laws extant<sup>1</sup> I think it may still stand today as the most comprehensive review done although dated by virtue of the fact there's been so many changes since then But nobody has undertaken to repeat the performance

MORRIS Or to pick it up where that one left off?

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<sup>1</sup> Assembly Interim Committee on Revenue and Taxation *Assembly Interim Committee Reports 1963-1965* (Sacramento: California Legislature, 1963-1965)

LEWIS That study was a picture of the tax laws and what should be done to change them

MORRIS As of 1965 or '66, I should think

LEWIS Way back I don't remember the year. Again, I wasn't around. But no one has done a comparable work since. It was a tour de force. It was a big, fat thing about yea thick and it's very well done. It was an important, seminal event in the tax history of our state.

MORRIS The people who worked on that study thereby established a competence and a reputation.

LEWIS Exactly. [David] Dave Doerr is an example. We should pass on this because I wasn't around. I couldn't begin to tell you. But every so often I'd hear something about somebody and I'd make a connection back to that study.

Long story short is, the next year, a homeowners' property tax rebellion was brewing in the state that coincided with the beginning of property tax inflation.

MORRIS It's more the strategies that were going on.

LEWIS Then Governor Reagan was making a big deal about it. A lot of homeowners were upset because their property taxes kept going up. Senior citizens on fixed incomes who owned their homes couldn't stay in their homes allegedly, because their taxes kept going up. There was a big ferment.

Simultaneously the schools were in trouble as they always are. They were principally funded by property taxes in those days. Newly announced was the *Serrano v Priest* decision,<sup>1</sup> about which there exist many different interpretations, but a common one would be that the linkage between the quality of education and the property tax, being fairly arbitrary, was therefore unconstitutional. As a result of all this foment, a bunch of legislation was introduced. This speaks to your agenda setting question. What happened is, a bunch of different legislators started introducing bills to respond to.

MORRIS They picked up on this public concern.

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<sup>1</sup> 432 U.S. 907

LEWIS Right, and they start responding to pieces of it Some take a macro approach some take a micro approach It starts becoming the subject of speeches People start agitating

I might add this was a different kind of a legislature from today's legislature in that it was an activist legislature in keeping with those times There was a strong core of liberal Democratic legislators who believed that the legislature's job was to stake out policy positions, especially vis a vis a do nothing governor like Reagan

There existed a group of senate Democrats, numbering about ten at its core but a group that fluctuated in size depending on the issue very liberal Democrats who had been forged into given their basic disorganizational style a philosophical caucus a common like minded group They had come through a battle which predates me where they were identified as the Young Turks and they had overthrown [Senate President Pro Tem] Hugh [M] Burns as the pro tem

MORRIS Were they part of the group that came over from the assembly together?

LEWIS Yes [Assemblymen Anthony C] Beilenson Petris [Mervyn M] Dymally, [Alfred E] Alquist [Albert S] Rodda, others If you gave me a list from those days I could tell you who they were

No one in this liberal caucus of the senate Democrats was particularly a tax expert except Nick Petris by virtue of his service in the assembly But he wasn't chair of the Senate Revenue and Tax Committee As Tony Beilenson in those days was the one they looked to for leadership on welfare issues, and they looked to Al Alquist on public utilities issues and they looked to [Senator James R] Jim Mills on transportation issues they looked to Nick Petris on tax issues

What happened is that in that year, Bob Moretti and Governor Reagan negotiated a school finance and tax bill which was, I think, about a \$1.2 billion package, which was a lot of money in those days.<sup>1</sup>

Bob Moretti was a very effective speaker and very much of a can-do kind of guy. That was also the image he wanted to portray. He was planning to run for governor and he did not want to appear to the public like he was always at war with the Republicans, which he felt was one of Unruh's image downfalls—that Unruh always looked like he was fighting with [Governor Edmund G.] Pat Brown [Sr.]. He also wanted to look like a guy who could get things done on the big issues. So Moretti and Reagan worked out a deal. The deal, basically, was an increase in the sales tax which, I think, generated \$600 million added to some \$600 million of federal revenue sharing money.

MORRIS  
LEWIS

That was included in the state tax bill?

Yes, the question was, how would it be spent? The mechanics elude me now. The point was it was \$1.2 billion in the kitty to spend. We were going to raise sales tax revenue by \$600 million which was a one-cent increase. The \$1.2 billion was going to go to local school districts, some of which they'd get to keep for instructional purposes but the rest of it was to roll back the property tax. So that school district property taxes would go down, providing homeowners property tax relief. Some of the money would stay in the classroom. But I think it was two dollars of property relief for every dollar of school money, something like that. I can't quite remember. The bill obviously, like all school finance and property tax bills, included an infinite number of little twists and turns, but that was the main part.

That bill passed the assembly, as you would expect it to, with the Republican governor and the Democratic speaker supporting it. One day the bill comes up on the senate floor.

Before I tell you what happens, let me just say that the climate was super-heated—homeowners demanding property tax relief, lots of

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1 S.B. 90, 1972 Reg. Sess. Cal. Stat. ch. 1406

them out there telling you they *definitely* want property tax relief And teachers and teacher unions and parents saying We want money for our schools This was after Reagan had been bleeding the schools for three or four years squeezing them, so they were really desperate

MORRIS

It occurs to me that a number of those homeowners are also parents

LEWIS

Yes but people don't think that way It's two different political events in people's minds The flood of mail coming into the legislature and the state senate as this bill left the assembly (a bill that a Republican governor and a Democratic speaker had agreed to which therefore was bipartisan, and which seemed to be all things to all people) was phenomenal The bill comes up on the senate floor

MORRIS

Which side was Nick on pro or con?

LEWIS

I'm about to tell you The bill comes up on the senate floor

Nick stands up on the floor and he says I think this is a bad tax bill I think it's bad because it raises the sales tax which hurts consumers I don't think it gives enough money to the schools I don't think it solves our *Serrano* problem which it allegedly was solving I think it's bad to give property tax relief across the board because it's a very inefficient way to give relief

I think in those days two thirds of the property tax was residential and one third was industrial, which means that Chevron [Corporation] is getting a tax break at the same time you're trying to help the homeowner You're only getting 66 percent of the impact for your dollar because you have to lower the property tax across the board Plus a large segment of our state in those days I think something like 46 percent of the people rented their dwellings which means the landlords were getting the tax relief, not the apartment dwellers Typically, apartment dwellers have lower incomes There was nothing in the bill that Petris liked except for the fact that schools were going to get some money

MORRIS      Where did these statistics come from? Had you been going around digging them up?

LEWIS        No. These statistics that I am giving you are with the benefit of hindsight, having subsequently become a bit of a tax policy expert in my own right. Whether Petris had them or how they came to be, or whether he even used them in his speech, I cannot tell you, but this was the substantive root of what he was arguing.

MORRIS      I was wondering whether amongst the lobbyists that were coming in were

[End Tape 1 Side B]

[Begin Tape 2 Side A]

LEWIS        There was no opposition to this bill, fundamentally. Homeowners wanted it. The business community obviously liked it because they were getting an unanticipated property tax break. Teachers and the school people wanted it, a kind of a public interest group.

MORRIS      Really?

LEWIS        Definitely. They have a very heavy self interest, but it's a self interest which for the most part serves the public interest. If you had to divide the world between the public good or the private good, they serve the public good. On balance, we'd rather have teachers and schools and institutions like them around, as poorly run as they may be, than not.

MORRIS      What happens when Petris comes out against the bill?

LEWIS        All of a sudden, these ten or so liberal Democrats all are voting no. This is without prior coordination. Petris just got up and spoke as an individual. Everybody fully expected the bill to pass. Plus about four unexpected no votes from the conservative ranks turn up. It takes two thirds to pass this bill.

One of the no votes was [Senator] Milton Marks, then a Republican from San Francisco, a liberal Republican, very liberal. He recently switched to the Democratic party. There were a couple

of conservative Republican senators who would vote against any tax increase I can't remember their names right now

MORRIS

[Senator H L ] Richardson?

LEWIS

It would be a good guess Then a couple of conservative Democrats like [Senator Stephen P ] Steve Teale I don't remember why he was voting no I think he was persuaded by the argument, on the merits The bill dies I don't remember if it was thirteen or fourteen no votes It must have been fourteen Maybe somebody was absent I think it was thirteen no votes plus a missing senator I think there had been a death in the senate It would take twenty seven affirmative votes as you know

MORRIS

So you're really on the edge

LEWIS

Yes People just came unglued they just can't believe that this is happening How could this bipartisan bill that the leading Democrat and the leading Republican in the state have agreed to fail passage?

A conference committee is appointed The assembly got a rule waived Normally, in a conference committee, you appoint two people in favor of the bill and one opposed from each house There are six conferees The assembly got the rule waived so that all three of their representatives to the committee were in favor of the bill Of course, the senate had two members in favor of the bill and then the appointed senator to negotiate representing the no votes was Nick So one guy ends up negotiating against five

Under the parliamentary rules the implication behind a conference committee is that you're negotiating differences between the two houses That's nominally true, because the format is, a bill leaves one house obviously, it has to pass at least one house to be viable and then the second house amends it, and therefore ostensibly you're negotiating between the two houses In fact what you're doing is negotiating between those in favor of it and those opposed regardless of what house in the legislature they are in because if you change the bill radically, you can lose a faction in whichever way So the negotiations are much more complex

So here's Nick Petris appointed to this negotiating committee, and I'm supposed to be his top staff guy

MORRIS So you're sitting there in the conference committee too?

LEWIS Yes, except when they ask staff to leave which did happen from time to time in those days. In those days conference committees met behind closed doors. They were not public meetings.

MORRIS When they get to a vote or when they

LEWIS No. I think sometimes when the senators feel they need to talk about very heavy political stuff. I wasn't inside such a meeting so I can't tell you precisely. Subsequent to that, I've been involved in conversations like that as I became a more senior staff person. Basically it's the kind of thing where a senator needs to be told. Look, whatever this may mean to you personally your district your philosophy, your whatever here's the political reality for the rest of the caucus and you need to take that into consideration.

MORRIS Does that include things like the speaker or the pro tem saying,

You've really got to come around because this is important to him?

LEWIS Yes. All that kind of stuff. It's basically breaking bones. You'll never see your wife and kids alive again. Unpleasant conversations.

So I was Nick's top staff guy. This was a fairly radical experience for me. Not radical in the philosophical sense but extreme. One, I had no idea he was going to be appointed to the conference committee. Two, I didn't know anything about taxes.

I had never paid income taxes in my life. I had been a college student who filed this one little income tax form which my dad who happened to be an accountant always did for me. I didn't know beans. I knew about the sales tax which at least I paid. I didn't know anything about tax philosophy or tax policy. I didn't know anything about the state budget. I didn't know anything about school finance. Nothing. To find myself trying to provide staff counsel to a legislator who was a recognized expert in the state senate on tax policy, by virtue of his prior assembly chairmanship and had a whole body of information in his brain as well as had taken his philosophy as a

liberal Democrat and overlaid it on this fairly arcane issue namely tax policy and its impact on people it was an experience

MORRIS Was Nick appointed to the conference committee by the Rules Committee as a group or by Mills as pro tem?

LEWIS Probably Mills as pro tem I don't know My guess is that Mills looked at the no votes and of the no votes, they weren't going to appoint a Republican, because that made no political sense They needed to appoint someone who would be an effective spokesperson for the coalition of no senators, and that was clearly Petris because he was the most knowledgeable and a liberal Democrat

MORRIS And if you started this no vote can you uphold it and defend your no position?

LEWIS Right Or put more accurately Nick didn't start it He just got up as a single senator To say 'start something' is to imply that he went around and talked to other senators and said 'Let's all vote no, or organized it

MORRIS But having expressed an unexpected viewpoint

LEWIS Right But I would say the way the legislature really worked, more significantly here is OK, you ten senators voted no This is a bill that we've worked on all year What do we have to do to get your votes here? What's the story? Let's get down to brass tacks Is it X? If it's X, does that mean that we're going to get a couple of votes out of this compromise so the bill will pass? Is this a case of we have to pressure one of you to vote yes so that the bill will pass, but the rest of you guys can be on record as voting no for district reasons, that it's not good for your particular district?

In a bill that complex a lot of what happens in the initial discussions about 'Hey what do we do now?' is finding out *why* somebody voted no Example in a school finance bill in those days given that school districts have widely different and still do actually amounts of money being spent per kid when you provided tax relief and school dollar relief all in one package it differentially helped schools So in those days a low wealth school district might

get more help because they needed it more. But the way our school district lines go, they don't match senatorial or assembly district lines.

So a legislator may, in the privacy of the most private moment of talking to another member, say, "Look, here's my problem. This is a good bill for my district overall and I want to vote for it, but the area of my district that is the one where I grew up and my whole family lives in and where I go to church every Sunday really gets screwed in this bill. I can't live with that. That's the core of my financial support: my volunteers, my friends, my this and that. I need to do something here to ameliorate this problem." Which is one reason why the school finance laws are loaded with all these little formulas that divert money from one pot to another to take care of one little oddball problem.

Or let's just take another example. Let's say you're a rural legislator and you say, "Look, this is a great bill. I don't deny it's super for 99 percent of the kids in California. But my problem is that I don't have many kids in my district because it's a rural district. And they have to travel long distances to get to school, which means the school district spends a lot of money on busing. Not segregation busing but just getting the kids to school. So the money never gets to the classroom. It's spent on gas and tires and drivers."

Hence, what do we have in the state school finance bills? We have a special transportation formula. Every school finance bill that's fought over, and how much money will go into that special program. So the legislator may be holding out his or her vote to make sure that that formula gets an extra \$10 million, which will mean an extra amount for his rural district so that the money that is supposed to get to the classroom really gets there. There can be a very noble, yet still specialized, reason for holding out.

MORRIS

It sounds like reapportionment.

LEWIS

It's very much like reapportionment, but add the complexity. Reapportionment is very simple and straightforward, relatively speaking, compared to a school finance and tax bill. In

reapportionment you've got a state with fixed boundaries and you have a bunch of districts that are going to be divided up. So while it's extremely complex politically to work it all out, ultimately you know what every legislator is concerned about

MORRIS

His or her reelection

LEWIS

Right. Or, in a moment of self-sacrifice, maybe the election of the party. You don't have to go ask somebody what they're nervous about. You know what it is, because you can see the same numbers they can see and you can say, "How would I feel in that district if I were them?" The school thing can be very tricky. And the tax part of it is even more complicated because which taxpayers and homeowners from what part of the legislator's district and what kind of district the legislator's representing is all important. One legislator wants tax relief for the urban poor renter, another wants a tax break for the silicon valley investor.

I should say in those days, unlike today, in the senate in particular, there was a "staff should be seen and not heard" mentality. A senator wouldn't send another staff person to talk to a senator about an issue. It was always senator to senator. Staff stayed in the offices and worked for their senator. There were rules in those days restricting staff access on the senate floor. Now the senate staff, at its own discretion, can move into the back of the chambers to watch the proceedings. There's a fluidness which permits a dialogue between legislators and staff, there's a dialogue that occurs.

MORRIS

A legislator now can send his staff person to talk to another legislator?

LEWIS

They could then but it wasn't the custom. Today, the staff has fairly free access to the senate chambers while the senate is meeting in chambers. In those days, I couldn't readily do that. You could only come down into the senate chambers upon the request of your legislator. Otherwise, you stood out in the hall with the lobbyists. There was an understood caste system. I mention that dynamic because it would not have been unusual therefore for tax

negotiations to occur without major staff involvement. The next day they'd be sort of hustling to catch up with what had happened. I was still only in my second year in the legislature and I hardly knew what I was doing. For me not to know that Petris was planning to give a speech on the floor against the bill didn't mean a thing. That happened all the time.

So I got my baptism on tax policy. A. Alan Post, who was then the legislative analyst and especially his tax team of three or four guys, headed up by [Arthur] Art Packerham were great. What happened was I went to these negotiations and sat next to Petris and listened and learned and watched what he said. Then every night I met with Post's tax staff and they taught me tax policy. So I kept a day ahead of the situation. That plus Petris's teaching, by virtue of me being at his side.

MORRIS: The legislative analyst's people sat in on this conference committee? Or they were briefing you.

LEWIS: Based on what I told them.

MORRIS: After hours.

LEWIS: Right.

MORRIS: Did they offer or did you?

LEWIS: I can't remember. Probably I requested. That's what the analyst's staff does. They provide technical expertise to the legislature. That's one of their many functions. It was not learning in the way that one would learn a body of knowledge in a university where you say, OK, here's point one, and you progress through a series of orderly learning steps.

MORRIS: Read Chapter 3 for next week.

LEWIS: For example, this problem came up. I remember one of the more punitive little parts of our tax laws then was that *all* homeowners in our state received homeowner's property tax relief *except* welfare recipients. They didn't get it. The oddity of the thing is J. Paul Getty gets it on his home and the welfare recipient doesn't. Now the rationale was, well they're getting welfare money because they're

welfare recipients so they're getting tax dollars. So they shouldn't get a double dip. Of course, it misses the whole point, which is to keep people in their homes and have stable communities.

But by having made that discovery and making the case in behalf of welfare recipients, then that leads to the next question, which is wait a moment, why should J. Paul Getty get homeowner's property tax relief at all? If the point is, you've got limited resources and you're trying to do the most good you can, the relief should be skewed to the middle class, not to the wealthy homeowners. That leads to other questions, such as, why do we give tax relief on vacation homes? Why on industrial property? Why should Southern Pacific [Transportation Company] get tax relief on its railroad tracks? And you learn tax policy by asking the right questions, unraveling the process. Out of that came my great interest in tax policy. That was the experience.

MORRIS  
LEWIS

Tax policy as a form of social policy?

Right, exactly. That bill plus one other bill that I worked in my first year that I worked for Nick were the two bills that taught me the legislative process. We carried lots of bills, but bills have levels of intensity, and some bills never get out of the gate and other bills just pass very easily, so they're not complete learning opportunities. It's when there are disagreements and issues and controversy that the process is tested.

The first one was pesticide safety for farm workers.<sup>1</sup> I'm using your numbers here. I'm assuming it's '71, that was my first year in the legislature.

MORRIS

I understand that it took many years to get the pesticide bill finally passed or to build up to what made a reasonable pesticide safety program?

LEWIS

Yes. It was unbelievable.

MORRIS

Resistance.

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<sup>1</sup> S B 99, 1971-1972 Reg. Sess., Cal. Stat., ch. 1231 (1972)

LEWIS Yes Just incredible The fact of the resistance proves the need for the bill Incredible That s a story in and of itself My point is on the tax bill, but that was

MORRIS That was your basic learning experience

LEWIS On tax policy And subsequently there was [Senator David A ] Roberti many years later Those three experiences the pesticide safety bill, the tax bill which were both part of the Petris years and working for Roberti are basically the ways I learned what I know about the legislature

MORRIS How were the mixed reservations resolved so that S B 90 did go through?

LEWIS It passed

I remember one of Reagan s themes was Thirteen willful senators stopped the One of his great sound bites There were about three weeks there just incredible pressure I remember the Oakland teachers and parents We had 3,000 people on the capitol steps, just coming up for the rally to get Petris s vote I mean, I was running around talking to groups of sixty and eighty and one hundred and fifty angry teachers and homeowners, and then racing into these negotiations with the speaker of the assembly and Nick and all these people whom I lived in awe of and then spending my nights trying to learn tax policy and write memos It was a maddening confusing time

MORRIS How did Nick deal with the protests on the steps?

LEWIS One thing that is fabulous about Nick is this is not a man who is an intellectual coward He was unfazed He went he spoke, he told them his views I don t think that Nick lives in fear of not being reelected Nick defines his personhood by his intellectual grip on issues, not by the fact he happens to be called a state senator If he were to lose his election over a principled stand on an issue, his life would not end He s not a man who is easily cowed In that sense, he hearkens back to his patriarch Socrates right? He definitely will take a stand

- MORRIS He has a strong ego self image, so that opposition doesn't bother him if it's an issue that's important?
- LEWIS Yes I daresay Since we live in a time when these things get confused, I say strong ego in a positive sense, not the arrogant sense
- MORRIS Thank you That's what I meant to say At what point did the California Tax Reform Association [CTRA] begin to be a good idea? How did that organization come about?
- LEWIS OK To finish this off, S B 90 passed I think Nick probably voted no What happened was, there were some modifications made to the bill and there was a lot of lobbying and finally a couple of senators decided to vote for it When you start with a coalition like that where there's thirteen no votes and three or four of them are Republicans, your political situation is pretty shaky I don't remember precisely what finally happened except it finally passed
- But of course, by then I was inculcated with the view that it was a bad tax bill and that got me motivated on the idea that our tax system was pretty screwed up That was also a time when there was a public interest group for every imaginable cause I guess about that time I was approached by a guy named
- Let me back up Petris's office this is true for most offices, I think was a magnet for groups out there who shared his views People tended to get in touch Just like I'm sure H L Richardson's office was a magnet for conservative groups So somewhere along the line I got linked up with something called the California Tax Research Group which was started by a guy named Jonathan Kaufman in San Francisco It was one of these one desk emerging public interest groups It basically was his little project, and he had written a couple of articles about tax reform It was a very open period, a lot of experimenting
- MORRIS Lots of participatory democracy
- LEWIS Right I remember getting linked up and out of that emerged the idea that there should be a statewide public interest movement

Analogous to the environmental movement and the civil rights movement there should be a tax movement. Of course, there was a lot of evidence to suggest a political base because we had just come through this big homeowners' property tax fight.

MORRIS: By then, you already had some Howard Jarvis and you'd had some Los Angeles [County] Assessor [Philip] Watson initiative measures.<sup>1</sup>

LEWIS: L.A. assessor, but I don't know if Jarvis was up and about yet. I don't remember.

MORRIS: Ed Koupal? Was he on the scene?

LEWIS: Yes, the People's Lobby. That was around. There was just a sense that there was a need for a voice of tax reason and a liberal reform-minded approach. I'm an organizer and joiner and all that, so I got involved in it. And what became readily apparent was, there was nothing there. There was one guy and he'd written a couple of articles. He didn't really have a lot of organizational skills. So by default I basically ended up taking the thing over.

A friend of mine, Peter Birdsall, who then worked for the Department of Education, as a staff guy if I remember correctly, lived in Davis, which is also my home and also was out of the left movement politically speaking. He and I started talking about it. He was interested. I was interested. So we drove down to San Francisco one weekend and got the files and brought them to Sacramento and changed the letterhead to a Sacramento address. If you're going to be a statewide advocacy group, you should be in Sacramento. We just started working at it, telling people about it, asking people to pay dues, getting members. We got some foundation grants for an [Internal Revenue Code Section] 501(c)(3) sister research organization.

MORRIS: From California foundations?

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<sup>1</sup> Watson sponsored Proposition 9 (November 1968) and Proposition 14 (November 1972). A measure circulated in 1972 by Howard Jarvis failed to qualify for the ballot.

LEWIS           Shalan Foundation gave us some seed money for the research part of it Which was important because we really had never gotten a chance to refine a viewpoint or to solidify a philosophy

MORRIS        You were doing this as an avocation

LEWIS           Yes, as a volunteer, on my own

MORRIS        In addition to being a Petris staff guy

LEWIS           Yes We set up an advisory board I think I asked Nick to be on it I called Jane Fonda and asked her to be on it

MORRIS        Really?

LEWIS           Oh yes Obviously, I'd met people By then, I wasn't quite the young neophyte in the legislature I was coming into my own I wasn't working sixty hours a week anymore to keep that job under control

MORRIS        And you had some additional staff by that time in the office?

LEWIS           No The whole time I was there, it was just me at the capitol office But I became proficient First of all I didn't have to ask Petris every question about Where do you stand on this? Where do you stand on that? before I could answer a constituent letter I'd become a fairly good public speaker in my own right by then

One of the things about the legislative process is that it does have a very strong *deja vu* quality to it That is to say, it's the same issues for the most part year after year The phenomenon is caused because people present a bill but it gets killed, but they think it's a good idea so they reintroduce it Once the new staff person or the new legislator learns that issue What's your position on the Random House Encyclopedia? I'm for it because it's fat or I'm against it because it's too fat you know what your position is Unless there's some new, startling information or revelation in the interim period, the next time that issue comes up, you can dispatch it quickly You also learn who you trust for information, who you don't trust you make alliances you make friends, you make enemies

MORRIS        Did Nick have many enemies?

- LEWIS No Nick is one of those legislators who is widely respected as a genuinely gracious, warm, decent keep your word human being He may have philosophical enemies but that s not personal
- MORRIS He hasn t been involved in some of these kind of vendettas that are legendary like Jesse Unruh and Pat Brown?
- LEWIS No
- MORRIS Or Jesse Unruh and [Brown Director of Finance] Hale Champion, whichever version
- LEWIS No In fact Nick was probably loved by both Jesse and Pat Brown Jesse is dead now, of course For one thing Nick is not an ambitious person He doesn t bring ambition to the table as his primary motivator
- MORRIS What about the courts?
- LEWIS You mean being appointed as a judge?
- MORRIS Right Any sense that that s come up?
- LEWIS I think Nick would like some new challenges in his life Given a call to do certain tasks in our society, he d say yes We re not going to talk about what those are, by the way I just thought I d say that in case you were about to ask save you the embarrassment [Laughter]
- MORRIS [Laughter] It doesn t embarrass me
- LEWIS But he doesn t live by his ambition and it s not his reason for existence I think he gets a lot more satisfaction out of

[End Tape 2, Side A]

[Begin Tape 2 Side B]

- MORRIS You mentioned that there is a deja vu aspect to the legislation Senator Petris has kept plugging away at the tax reform issue What s the source of his interest if, as you say it s the same issues that come up again and again?
- LEWIS This sounds so corny it will have credibility problems in certain sectors He is a man who came to the state senate because of his value system First foremost And whatever s in second place it s a huge step down We re talking about a ladder of priorities on which

- there are ten or fifteen ministeps, and then the top priority is a huge, giant step and on that top step are his values. He almost never gets to his second priority, he's so driven by his value system.
- MORRIS: Going back to the CTRA, I came across something called Senate Bill 540 that you were involved in—that [Senator] John Dunlap bill<sup>1</sup>. Does that ring a bell?
- LEWIS: It does but I can't remember what it is. What is it?
- MORRIS: Progressive redistribution of tax burdens.
- LEWIS: Right. John Dunlap, state senator, a great guy, introduced a bill during that year. I can't remember the timing. I'm sorry but early in the organization.
- MORRIS: This sounds like 1976, from what I was reading.
- LEWIS: Which may have actually been the year where Jonathan Kaufman's interest started to wane and mine picked up. I can't remember. Maybe that was '77. Jonathan Kaufman had asked Dunlap to introduce this bill which Jon had written and designed. It was a progressive good tax bill. It didn't go very far in the legislature, as I recollect.
- MORRIS: It was adding new income tax brackets.
- LEWIS: Right and using the money.
- MORRIS: And a tax credit for low income people.
- LEWIS: Right. I think that was the first effort of this organization. It doesn't predate me but it didn't originate out of my participation. I think I inherited it. When I took over we changed direction dramatically. Not philosophically but I didn't see S.B. 540 as a very effective organizing device. I can't precisely remember to be honest with you.
- MORRIS: It was the additional income tax brackets which in 1976 literature, was described as being a promising approach to tax reform. Looking at it from 1989 remembering that subsequently, there was a big uproar about additional tax brackets combined with the inflationary pressures on California personal income contributing to produce the state surplus, which was part of a cause for grief.

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1 S.B. 540 1975-1976 Reg. Sess. (1976)

LEWIS Right Let me underscore this I didn't conceive S B 540 and I never really owned it either emotionally or conceptually That may have been the formulation under which I met Jonathan Kaufman Now that I think about it, I think he came to lobby Petris (and me) to support 540 which he probably did, not so much as a tax reform measure but as a social redistribution of wealth measure

Subsequently Kaufman receded into the background as a player, I became a more prominent player in the organization My sense of what the organization needed was something that specifically addressed the property tax and that was a tax reform bill for its own sake not as a technique for achieving economic redistribution of wealth

MORRIS So your interest, which became the organization's interest was in something that would be an organizing device to develop a public dialogue on tax reform or to relate to a specific bill?

LEWIS I think it was both It's a little hard to bifurcate one element from the other One we wanted an organizing device that would be the centerpiece of the organization to attract people, help money volunteers, press interest, the whole thing I was and am, a political animal, and I think that way Two, I also wanted something that legislatively embodied the vision we had for the tax system That's one of the things that's lacking these days Where's the policy direction in the state? There isn't any Politicians are afraid to say anything for fear that some constituency will disagree That was not one of our concerns

MORRIS The lack of policy direction?

LEWIS No The fear that somebody would disagree

MORRIS So what kinds of activities did you get going to carry out these

LEWIS These are tough questions Many kinds of activities I remember we made a slide show about the state's tax system Why was it fair, unfair, and to whom We went out and talked to groups in their homes five people, six people at a time We would get ten people together and we would ask them to join for twenty five dollars a year

We set up a membership made a little brochure that said Join the California Tax Reform Association And we drafted a piece of legislation, which Nick was the one to introduce, which responded to the emerging property taxpayer s revolt S B 154<sup>1</sup> In any case, we tried to be the liberals answer to the [Howard] Jarvis mentality

MORRIS Did you see the Jarvis organization and Koupal as contributing to the dialogue or did you see them as a hazard to the

LEWIS Koupal s was one of those media wonders I don t think we, either the California Tax Reform Association or, for that matter informed legislative observers took Koupal very seriously, ever I think he was always seen as a little bit of a fanatic that got great press and had a great name but never seemed to generate political pressure The People s Lobby didn t show up in the legislative mailbag

Legislators are by Darwinian selection, experts about their district They may not know anything about anything else, many think but they certainly know about their districts You go back to the district weekend after a weekend and you read the incoming mail and listen carefully to every sound coming from your district For example, one of my jobs was to talk to school kids Lots of school tours come to the capitol If they were from the district they wanted somebody from the legislator s office If Nick couldn t go I d go You talk to teachers and parents week after week, and when nobody s talking about the People s Lobby, you start to get a sense there s nothing out there That was our sense

MORRIS What about Jarvis?

LEWIS Jarvis was another case at the capitol, and everyone misread that His message was a combination property tax rebellion and antigovernment movement and nobody in the beginning quite had it clear what the message was The fact is it was both But we can just observe for now that Jarvis was first written off as a fanatic I think people were late getting the idea that there was a political fusion between homeowners, who were just completely freaked out

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1 S B 154 1977 1978 Reg Sess , Cal Stat ch 292 (1978)

- about their taxes going up, and a growing antigovernment sentiment, which had traditionally been associated with the right wing
- MORRIS [Paul] Gann was perceived as part of the same thing as Jarvis?
- LEWIS Yes The Jarvis Gann alliance, of course was a compromise a coalitional effort that emerged after a couple of years of failing independently of each other They had a lot of misstarts, where they tried to get going and failed Politicians started to think, Well, Jarvis and Gann failed so we don't need to be concerned about that issue Again, I'm a little murky but, initially there just wasn't that sense of concern The California Tax Reform Association was not set up as a competitor organization But it is the case as it developed, it became one albeit unsuccessfully
- MORRIS It was a counter measure It was not seen as that by you
- LEWIS Not at all Not in the beginning Later we did go to organizations such as public service employees, teacher unions state workers, and liberals to solicit help and volunteers and money on the grounds that we represented a sane alternative to Jarvis Somewhere along the line we should talk about the role of the AFL-CIO [American Federation of Labor Congress of Industrial Organizations] and other labor unions
- MORRIS I was wondering if they were a part of it or if they were seen as a preexisting public interest lobby
- LEWIS I would say that initially they weren't part of it at all A couple of labor leaders took an interest in it by virtue of their own commitment to social change Over time, and I mean over a long time the public employee unions in the state came to see this organization as providing a rational alternative but it was in the face of the Jarvis threat It was a reactionary policy
- MORRIS What are we going to do now?
- LEWIS Right So consequently, it was always a day late and a dollar short I mean that day late and a dollar short quite literally, by the way First they reached the decision so late that Jarvis had already gained so much momentum that there was probably hardly any chance to

- stop his initiative <sup>1</sup> Second a dollar short in that the way and the amount they funded the organization was insufficient It was throwing a drowning guy twenty feet from shore a ten foot rope
- MORRIS This would be by 1978?
- LEWIS I would say They just didn't get it Partly, of course, is the fact that when you go out and speak to a teachers' group, you're also talking to homeowners It's amazing how many people vote against their self interest Or, to put it more gently and kindly, perceive their self interest differently So you're talking to a group of teachers and you're saying Listen One of the problems we have and the reason your schools aren't funded enough, is that the tax base is improperly designed It doesn't generate enough revenues, and one of the reasons it doesn't generate enough revenues is, there's all these tax breaks in it for people who are basically in the upper one third of our population economically speaking So you're taking money out of the classroom and giving it to people with vacation homes The first question you get from some teacher is, I own a condo at Tahoe So they're thinking my condo in Tahoe more than 'my job
- MORRIS Were teachers not also getting heavily lobbied by the California Teachers Association which traditionally was on the side of more revenues for schools and doesn't have much of a history of being involved in tax equity?
- LEWIS Clearly they would be
- MORRIS So you've got competing interest groups
- LEWIS The California Tax Reform Association never really tried to go directly to the rank and file of the labor movement It always went to the informed leadership and said, Look you guys need a strategy to beat the Jarvis mentality The difficulty was that when the leadership of the labor movement went to its rank and file, what it discovered was that its rank and file wasn't really willing to embrace a tax reform agenda because workers to some degree, identified with rich people's tax breaks

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1 Proposition 13 (June 1978) known as the Jarvis Gann initiative

It's a peculiar thing and I've never really conquered this problem, so I want to tell you you're speaking to a defeated man on the subject. Let's pick an example, credit card interest deduction. Over 50 percent of our state's population then used the standard deduction. So when you say to a group, "You should not be able to deduct the interest on your credit cards," the first thing you know is that 50 percent or more of those people in any given room won't take advantage of that deduction because they claim the standard deduction instead. Of the people who do claim credit card interest, if I have a dollar to deduct of interest and I'm in the 10 percent bracket, it's worth ten cents to me. If I'm in the 50 percent bracket, it's worth fifty cents to me. So for me to get my dime, I have to give the other guy fifty cents. Then I complain because my streets are dirty because there aren't enough street cleaners, or I complain that my schools are crummy. The chances are, if I'm in the 10 percent bracket, I need those government services one hell of a lot more than the guy in the 50 percent bracket. I need a public library; the 50 percent bracket guy can afford to go buy his own books.

You give that speech to a random assortment of people and 80 percent of the people in the room will identify with the deduction.

"You're going to take away my break? That's my biggest tax break. It's most important to me. I use my credit cards a lot." I'll say to them, "Do you understand here what we're saying? How many of you here take the standard deduction?" Half the people in the room will raise their hand. The reason for that is that people—I don't know the reason, but my surmise is that people are first of all, scared to change, and second of all, they're looking up the economic ladder.

MORRIS: Where they hope to be. They think of themselves as further up the economic ladder than they are.

LEWIS: The median income in this state was around \$15,000. When we think middle class, we think home.

MORRIS: Two cars, mortgage.

- LEWIS Dog named Spot It s bullshit That is not the middle class in our state The middle class in our state is making \$20,000, and it s McDonald s and it s one pair of shoes for the kids and a real struggle But unfortunately, that s not the mobilized articulated political force when you talk about tax policy
- MORRIS The heavy input on tax policy comes from higher income people and corporate
- LEWIS Not necessarily corporate I d say higher income people
- MORRIS One aspect we haven t talked about on tax reform is to what extent was some of the tax legislation an attempt to remedy what I understand were some fairly serious concerns about assessment practices
- LEWIS You have two phases there Phase one, which goes back to the Petris years chairing Assembly Rev and Tax was unfair assessment tax practices A bill called, I think, A B 80 was passed which mandated uniform assessment practices, using a standard which was constitutionally mandated but never enforced <sup>1</sup> It s a market value test What would that property bring in the market between a willing buyer and a willing seller?
- MORRIS The full market value Actual cash value is what it says on your tax form
- LEWIS Prior to passage of A B 80 assessors were giving low assessments to selected groups were encouraging the location of industries with de facto, and unconstitutional, property tax breaks, et cetera It was shoddy When fair assessment practices were instituted as a matter of law obviously some people experienced property tax increases, whopping bills in one year But the fact is they were getting an unfair tax break prior to that Of course, they didn t see it that way, they saw it as an entitlement So that created one furor
- Phase two came right on the heels of a phenomenal real estate boom in this state So people s actual home values were in fact, going up The point is you re supposed to pay relatively speaking as

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1 A B 80, 1966 Reg Sess , Cal Stat , ch 147

a function of your wealth. It was very interesting because you'd go out and talk to people and they'd say 'This is outrageous! Look at this assessment! Two hundred thousand dollars for my home! There's a home and a pool and a three car garage and four bedrooms, and they're living in Saratoga

You say to them, 'Listen, if you were going to sell your house what would you put it on the market for? Oh \$350,000. They didn't make the connection. The whole point of the tax law if you have an equitable one is that people pay relative to their ability to pay. If you have a property tax if you own more property and it's of higher value, you should pay more than someone with less property. Somebody in a suburban house should pay more than somebody in a shack. But of course, it's tough to get that idea across.

MORRIS: Yes, complicated. The articles that I read said that CTRA also did some work on initiative measures.

LEWIS: Yes. I remember what happened. CTRA sponsored this bill. I think it was S.B. 154 and it was in the legislature. It was one of three big property tax relief measures.

MORRIS: In the same year?

LEWIS: In the same year, and it was in response to Jarvis. I don't remember all the features of the other two, to be honest with you, but the other two bills resulted in a diminution of government revenues. The CTRA bill with its liberal perspective and also looking at our constituency, which included some public service employee unions didn't diminish revenues. It said if we had a fair income tax system we'd have extra revenue that we could use for property tax relief. So it added income tax brackets, closed the capital gains tax loophole, did some things which, ironically enough, have all become. Hell, Ronald Reagan closed the capital gains tax loophole. In those days, I was

MORRIS: You were anti Reagan?

LEWIS: Well I am still. But then I was a heretic for proposing closing the capital gains break. Everybody said you need that for capital

formation. It's all a bunch of bullshit. But the fact is, I've been vindicated by my nemesis Ronald Reagan, of all things. I owe him much. I'll have to send him a campaign contribution.

MORRIS

Did you?

LEWIS

Heavens, no. Don't be silly. I was just acknowledging his indirect unintended blessing of my idea. So our bill closed tax loopholes and used the money to fund property tax relief. Because of a crafty form of draftspersonship, it only required a majority vote to pass. So the CTRA bill was always passing with less of a working constituency in the legislature than the other two bills.

As it played itself out, all three bills ended up in a conference committee. A compromise was attempted, but nobody could agree on which taxpayers deserved just how much relief. The legislature failed to enact a property tax relief package and, of course, that gave Jarvis a great spur to qualify and pass his initiative. So it was a huge fiasco.

MORRIS

But then the *California Journal* reported, in October 1979, that The liberal California Tax Reform Association has decided it is all but hopeless to buck the conservative trend in the legislature. So here comes another tax initiative. The thrust will be a simplification of the income tax.<sup>1</sup>

LEWIS

Right. After the legislature failed, and after Jarvis passed, it became clear to us as both an organization and a person. Sort of like what happened to the March of Dimes when they cured polio. You had to get yourself together and figure out what your reason for existing was. It was an organizational thing; it was also a political thing. I had latched onto the idea that there was also a strong sense among people that, while you couldn't sell tax reform because nobody got the drift of that, they sure liked the idea of a simpler tax system. So we came up with the idea of having an initiative called the Tax Simplification Act, which would accomplish tax reform simply the tax

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1 Upfront *California Journal* October 1979, 335

system, and provide tax relief for the majority of Californians, and also incidentally redistribute the wealth. So it was a quadra hit.

Where did that take us? We embarked on that mission and it also became a flawed exercise. Not philosophically, but as a political fact. Too late. Timing in politics is everything. CTRA probably owes most of the tardiness problem to [California Federation of Labor executive John] Jack Henning at the AFL-CIO.

MORRIS

Really?

LEWIS

Yes, for being the most disingenuous [person] on the subject of tax policy leadership at that time. I say that for three reasons: the AFL-CIO purports to be a progressive organization that is interested in social change that benefits its rank and file members. Henning has a lot of important public service unions in his coalition of labor groups who were lobbying him to get involved in this issue.

CTRA presented to key leaders within the AFL-CIO very early on the political options available. His inability to, (a) decide, (b) to take a risk with his own people, (c) to provide leadership, (d) to provide money, (e) to put the resources of the AFL-CIO behind this initiative drive caused the CTRA to delay circulation of our initiative while Gann was already out campaigning for his government spending limit measure on the ballot that followed Prop. 13.<sup>1</sup>

MORRIS

The fall of 1979?

LEWIS

I think it was the fall of 1979, so we weren't head to head. It didn't give people a choice at the ballot. It was, My God, if I vote for Gann and then later the California Tax Reform Association initiative fails, I won't have gotten any relief anywhere. So there was nothing really on the ballot except a legislatively placed thing which was very watered down at that point.<sup>2</sup> It was very complicated and hard to explain. Gann was a meat ax approach, it was clear.

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1 Proposition 4 (November 1979)

2 Proposition 3 (November 1979) proposed by the legislature which would have changed the assessment ratio from 25 percent to 100 percent of the full market value.

So Henning's failure there I might add he never really fully embraced our organization. He paid a lot of lip service to it but really just never got behind it in any profound kind of way, but he kept saying he would. The reason I tag him as the biggest problem was the hypocrisy. It was, I'm with you. I really want this to happen, I believe in tax justice. The rhetoric was great. The reality is that he was a nonexistent human being on the subject when you needed his leadership.

MORRIS That's really tough when you're trying to get an organization going too, when you think you've got a major ally.

LEWIS Right. And Henning is never there. You can't get calls returned, you can't get checks written. It was, Yes, we'll send you money. How much? I'll check and get back with you. Six weeks go by and then you get a small check. It's demoralizing. You can't count on him. You're always living hand to mouth, which, of course, is the fate of a public interest lobby anyway. But in this case, the challenge was greater than the resources. So basically Gann just

MORRIS Rolled over you. The Gann people were using direct mail.

LEWIS They had a very sophisticated operation, which could have been countered by the organized labor movement in the state, had it been a priority. The AFL-CIO never made it a priority and worse than that, told us they were [going to act] which meant that we never went out and developed other strategies. We could have gone other ways, other places, but the Henning phenomenon and his ego were such that he not only doesn't help but he doesn't want anybody else to overshadow him. So while you're waiting for him, you have to leave everybody else out. If we had known he was going to be a no-show, we could have gone to all the independent labor groups, the teacher unions, the state employees, all the groups in organizing battles with the AFL-CIO. Although I didn't realize it at the time, in retrospect, it's actually why the AFL-CIO is failing, why it's an organization that's losing clout daily with its own members.

MORRIS      Because there are other issues on which it's done this same nonstrategy strategy?

LEWIS        Same thing. And why it has no allegiance among public employees. Why the AFT [American Federation of Teachers], which is the AFL CIO teachers union in this state, never can get itself together as an effective organizing tool. It hangs onto small groups of teachers here and around the state but it's never been able to mount a serious drive. It should be able to except that it's handcuffed by its linkage to the AFL CIO. It's a big problem for the Democratic party which includes labor in its ranks.

Then Gann passed. We never qualified. We never even made it to the ballot because once Gann

[End Tape 2 Side B]

[Begin Tape 3 Side A]

LEWIS        Once Gann passed that pulled the energy out of the CTRA initiative drive.

MORRIS      That's a major undertaking.

LEWIS        It was phenomenal and it took an incredible amount of chutzpah for this organization which had very little resources, to even try it.

MORRIS      You did take out a title and summary?

LEWIS        Oh, yes, and we wrote a very fine initiative. It was well conceived and, ironically enough, again became an approach adopted by President Reagan. There was no causation here but it is ironic that the Reagan Washington years saw a federal tax simplification act passed which closed tax loopholes, simplified the tax system and lowered people's basic tax burden. That's exactly what the CTRA initiative would have done.

MORRIS      Any evidence that some of the people who worked with Reagan in California had some of your material under their arm or in their briefcases?

LEWIS        No evidence and I would doubt it seriously. Our initiative deserves and needs no glorification. The fact of the matter is, it was an effort

to qualify for the ballot. In the world of politics you're either on the ballot or not. We failed. We failed because the resources of the organization were not sufficient to qualify, and by the time the organizations, which should have seen it in their self-interest to get on board on this thing and put it on the ballot, did so, it was too late.

They didn't know what they were doing and thought they could produce a miracle in signature gathering, and failed. It's the kind of thing where you go to a public employee union. I'm just going to pick employee union XYZ because it's another thing I just don't want to talk about right now, which clearly had a self-interest in the CTRA initiative, and there's 500 people in the room. You think, if these people would just each sign themselves and get one more person, you'd have 1,000 signatures. And the whole group together after a month of effort could only produce 150 valid signatures.

MORRIS  
LEWIS

That's the people in the room, and not all of them.

It even wasn't them. Most organizations didn't even bring in as many signatures as they had members. Most? All. Repeat, all produced fewer signatures than they had members. I'm not including family members, I'm talking just about individual rank and file members. It's a reminder how weak unions are organizationally. First, it's a comment about their organizational skills. Second, there's also a commitment measurement there. If people are committed to something, there's a fever, there's a passion, there's an energy, and you don't see those kinds of consistently low results. Third is a lack of leadership and vision and agenda making that allows an organization to see far enough ahead so that it's not working against short deadlines.

MORRIS

Somebody said that [former Assemblyman] John [T.] Knox's organization eventually acquired the tax reform association. Is that total fantasy?

LEWIS

John Knox's?

MORRIS

John Knox's organization.

LEWIS

I know what people are talking about, but that is a complete fantasy.

During the initiative period I was CTRA executive director Prior to then I was the founding president, which was a volunteer role

After I left Petris, I went to work for six months at the Department of Education I was [Superintendent of Public Instruction] Wilson Riles s chief of governmental affairs, his chief lobbyist in the legislature I did that for six months did not enjoy it, left, went to Greece for a month I came back and I became executive director of the California Tax Reform Association I took a large pay cut but it was a labor of love I did that for a couple of years or so, maybe a little less

After the initiative failed, we went back to being a legislative lobby group I felt that it was time for some new leadership I d built this organization At some point, the building process requires you to move on It was time for me to go, so I left

I started a consulting firm It was called Jonathan Lewis Associates or some title like that [JLA Advocates, Inc ]

MORRIS

That s an appropriate title

LEWIS

Yes I did that for three, four years My consulting firm was bought by Jack Knox his law firm, in 1986

MORRIS

I see Nossaman

LEWIS

Right Nossaman Guthner Knox and Elliott bought my consulting firm about two years ago three years ago

MORRIS

For its advocacy skills and mailing list?

LEWIS

Its advocacy skills and its client list We had built up quite a client list then The Nossaman firm wanted to have a Sacramento office so they bought us We became their instant Sacramento office By agreement I stuck around for a decent period and then split My partner stayed and ran the office It was while I was president of the consulting firm that I had a number of consulting contracts working for Dave Roberti, which included, during his first year as pro tem working on the state budget

MORRIS Because of your personal knowledgeability on the tax and finance issues?

LEWIS There were two things. One is I had one of those serendipitous meetings with Roberti where I agreed to work with him on his campaign to become pro tem because I thought he would be a better pro tem than Jim Mills was. I became a compatriot, so he wanted me on his staff. When the question "What are you going to do on my staff?" came up, there were two issues to solve: one was "what?" and other was "how?" I said, "First of all, I can't leave my consulting firm. I just started it a year ago. I have an investment." He said, "I'll put you on contract and you can take a leave of absence." So that was the how.

The what was he thought that I was an expert on tax reform from my days working for Nick, which is how I had met him to begin with. So in David's mind taxes, money, budget, it's all the same. [Laughter] And the truth of the matter is there's a validity to that judgment in the sense that I had worked on taxes, which is the revenue side of the budget, and I also knew a little about school finance, which is a big piece of the expenditure side of the budget. In any case, I knew more about it than anybody else around him at that point.

MORRIS At that point, when Roberti was campaigning for pro tem, what were his skills like on the matter of tax policy in relation to the budget?

LEWIS None. In fact, David has a lot of skills but budget and tax policy knowledge is not one of them.

MORRIS Are those, in your opinion, necessary for a pro tem? Those kinds of skills?

LEWIS No. It's something that's reasonable to expect your staff to provide you.

MORRIS What were the problems with Mills's leadership as pro tem?

LEWIS I came into the legislature, and he was in place. Petris was a loyal Mills supporter through all the years that I worked for him, intensely loyal. But my perception was that Mills didn't seem interested in any

aspect of the office's potential for good government. He was a good solid liberal vote himself but he seemed to treat the job as an administrative one for him. He was, as the political scientists say, a caretaker pro tem. I think there were a lot of reasons for that which were not all his fault. This is not a criticism of him.

MORRIS That's what his allies in the senate wanted?

LEWIS It's what his enemies permitted.

MORRIS That's a useful formulation.

LEWIS The cause was the way he came into office, the way the senate was structured, and the political allies he needed to stay pro tem. It's a bit like acknowledging the fact that after the war [1945] people wanted a father figure for president. It's not to criticize, it's to simply

MORRIS But just that after all those years of [President pro tem] Hugh Burns, the senate itself wanted

LEWIS Something different and Jim was it. That was great but it didn't happen to match my biorhythms. I'm young. I'm energetic. I see all these social problems. I want change. I want a more activist pro tem.

MORRIS And Mills had been pro tem for ten years?

LEWIS All the time I was there. In fact, after I left. When I helped Dave Roberts. I was not a senate employee.

MORRIS What contributed to a sense that Mills could be replaced as pro tem?

LEWIS One never knows. But the conventional wisdom was that when Al Rodda, who was a well loved, decent senior senator, liberal Democrat, was beaten by [Senator] John Doolittle, who was a young upstart, very conservative, Richardson protege, that really shook the Democrats up. It's the same phenomenon as driving down the freeway and you see an auto accident, you put on your seat belt. The senate Democrats drove back to the capitol and they saw Al Rodda out on the pavement.

MORRIS Covered with blood.

LEWIS And they said, We want our seat belts on. Jim Mills was not an effective fund raiser. He was not perceived as a political leader. So

they looked around for somebody else, although it's the case that you can't beat someone with no one. Dave Roberti had been the majority floor leader and had been cultivating a following. He was the right guy because a guy like Nick Petris, for instance, who did support Dave Roberti over Jim Mills, would never in a million years have supported somebody who was not a liberal Democrat to replace Jim. There had been efforts to dump Mills in the past, but always by conservative Democrats or just very personally ambitious senators. Who thought they were entitled to a term as pro tem?

MORRIS

LEWIS

I don't know. Again, that was always senator to senator. Until I left the legislature and came back on Roberti's staff, I was not privy to most of those conversations. When I was on Roberti's staff, I was privy to the ones that related to taxes, budget, and those kinds of questions, so I had a glimpse of how it's done and, by inference, can make educated guesses.

But Nick would never have supported a conservative Democrat to replace Jim Mills, especially a Democrat who might not have Mills's strong sense of integrity and fairness and decency. But Dave Roberti had all those things: he's decent, he's fair, he's a good Democrat, he's a liberal. He had coauthored Nick's tax reform bill, S.B. 154. He helped Petris. He's a good civil libertarian. Nick and he disagree on a number of policy issues: abortion, pro choice issues, for example. But fundamentally, you have a sense of this guy being basically OK on the policy issues. Here he comes along and says, I can do a better job politically as well.

MORRIS

There were some questions at the time that Roberti and Mills had some understanding, but that Roberti then changed his mind, and that he and Mills had a different count on how many supporters Mills had.

LEWIS

I'm not privy to any of that. My involvement was limited to talking with senators who, for whatever reasons over the years, I had developed a personal rapport with, to simply say to them, In my

personal judgment, Dave Roberts would be better for the people, for the senate and for Democrats than the sitting pro tem

MORRIS Early on? Or did you keep talking to them as Roberts built up his sense of momentum for the job?

LEWIS In and out is the way I would say it just in and out

MORRIS Why don't we stop here, since you need to get going. You've really given me some very useful insights on the topics I came to ask about. I can see there are others. Let's deal with the transcript of this interview and maybe I could reserve the right to come back and talk to you about political

LEWIS That's fine. It's kind of a kick to just think back and remember

[End Tape 3, Side A]